

The Turns and Shifts in the U.S. Role in the Kashmir Conflict since 1947: Today's Propitious Times for a Facilitator to Resolve It

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Since the partition of British India into India and Pakistan in 1947, the Kashmir dispute has become a festering conflict between the two countries. India and Pakistan fought three bloody wars in 1947, 1965, and 1999 over this issue and another war over Bangladesh's independence in 1971 in which Kashmir was a peripheral issue. Since the inception of this conflict, the United States has played a role in a variety of ways and in varying degrees of involvement. The purpose of this article is three-fold: first, to discuss the Kashmir conflict between India and Pakistan during the Cold War period, and the role the United States played either in association with the United Nations or on its own in the conflict in that period; second, to discuss the ongoing conflict between the two countries in the post-Cold War era and the role the United States continues to play; and finally, to proffer explanations as to why it is propitious for the United States to play the role of a facilitator to help end the conflict.

The Kashmir Conflict and the U.S. Role in the Cold War Period (1947–89)

The origins of the conflict

In 1947 when British India was partitioned into India and Pakistan on the basis of religion, Kashmir, a predominantly Muslim state headed by a Hindu king, Hari

Singh, resisted the pressure to accede to either Pakistan or India, hoping to seek independence and autonomy from both countries. To achieve this goal, the Singh regime signed the stands-still agreement with Pakistan that India refused to sign. To force its accession to Pakistan, Muslims in the Poonch area of West Kashmir launched an insurgency in July. In October they were joined by pathan tribes from Pakistan. Later, the Pakistani army moved quickly to aid the rebels with arms, transport, and men. Within two weeks they reached the outskirts of the capital city, Srinagar. Dismayed by this invasion, King Singh sought India's military assistance, but the country refused to help unless the king signed the instrument of accession¹, a standard procedure under which other princely states had acceded either to India or Pakistan. After King Singh signed the accord, India sent its armed forces into Kashmir, resulting in a bloody war with Pakistan during 1948–49.²

In January of 1948, after India occupied two-thirds of the territory, Lord Mountbatten persuaded the Prime Minister of India, Jawaharlal Nehru, to take the issue to the United Nations Security Council (UNSC). India trusted that the council would recognize its legitimate claim to Kashmir and denounce Pakistan's aggression. The council, as a reflection of Cold War politics, adopted a series of resolutions, calling on India and Pakistan to agree to a cease-fire along their Actual Line of Control (ALC) as well as for the withdrawal of Pakistani forces followed by a holding of an impartial plebiscite to ascertain the wishes of the people of Kashmir on their future under the auspices of the five-member UN Commission for India and Pakistan (UNCIP). India and Pakistan agreed to comply with these resolutions.³ Meanwhile, the popular leader and the founder of the secular National Conference Party (NC), Sheikh Abdullah—known as the Lion of Kashmir—supported accession to India and led the state government from March 1948 until 1953, the area under Indian occupation named as the state of Kashmir and Jammu with special status granted under Article 370 of the Indian Constitution. The land that fell under Pakistan became known as Azad (free) Kashmir. What, however, has been the U.S. role in this conflict from 1947 to 1989 during the Cold War?

The Truman administration's role: A support for a plebiscite in the state (1947–53)

The Truman Administration (1945–53), which initially dominated the UNSC, was joined by Great Britain in supporting a holding of a plebiscite in the state—nonwithstanding the fact that this stance had angered the Nehru government.⁴

Following Indian and Pakistan's acceptance of the cease-fire on January 1, 1949—under the administration's active participation—the UNSC appointed Admiral Chester Nimitz, a former U.S. Navy commander as plebiscite administrator. Although India had previously accepted UNCIP proposals on the modalities for holding a plebiscite, it gradually shifted its position in terms of its interpretations. Nevertheless, the United States pressured India to act in good faith in

Kashmir. This included messages from President Truman and the British Prime Minister Clement Attlee to Nehru in August 1949, asking him to accept arbitration to break the impasse on the plebiscite. Nehru angrily rejected their suggestion and declared that he would not give an inch on the matter of Kashmir. Later during his visit to Washington, DC, in October 1949, Nehru met with President Truman and Secretary of State Dean Acheson, both of whom raised the Kashmir issue. While he agreed with the president on the importance of finding a solution to the problem, he told Truman that the UN should not discuss the merits of the dispute until Pakistan forces withdrew from Kashmir.⁵ Despite India's uncooperative stance on the plebiscite, the UNSC did not give up on the issue. In December 1949, the UNSC asked the UN President General McNaughton of Canada to break the impasse. When McNaughton submitted proposals on demilitarization and the plebiscite, India found them as favorable to Pakistan and blamed western pressure. On January 9, 1950, when Acheson urged Nehru's sister, Vijaylakshmi Pandit—India's ambassador to the United States—to accept the UN proposals, India's view of U.S. bias in favor of Pakistan was reinforced.⁶ As McNaughton's effort failed, the UNSC sent Sir Owen Dixon, a judge of the Australian High Court, to the region to try to break the stalemate. In the summer of 1950, after talking to Nehru and Liqat Ali Khan, the Prime Minister of Pakistan, Dixon submitted a proposal limiting the vote to the valley while partitioning the rest of the state on religious lines. However, this proposal also failed, as Nehru rejected the idea of UN control of the valley during the plebiscite. Dixon left the region disappointed and advised the UN to give up on its mediation efforts and let the two countries seek a political solution on their own.⁷ Despite this advice, the UNSC did not give up. In 1951 the council appointed Dr. Frank Graham, a former President of the University of North Carolina and U.S. Senator, as UN mediator. Graham tried diligently during 1951–53 to convince Nehru to accept a statewide plebiscite but to no avail. Like Dixon, Graham too gave up, offering similar advice to the UN.⁸ Due to Nehru's uncompromising stance on the modalities to conducting a plebiscite, and his perception that the Truman administration was "unsympathetic and hostile" toward India's position⁹, the dispute reached a stalemate, leaving it to the Eisenhower administration (1953–61) to help resolve it.

The Eisenhower administration's role: Support either for a partition or a plebiscite (1953–61)

In 1954 the United States became a close ally of Pakistan when the latter joined the U.S.-created Baghdad pact and the South East Asia Treaty Organization (SEATO). India perceived these pacts as threats to its security. In addition, Secretary of State John Foster Dulles took a hostile view of the nonaligned policy led by Nehru, stating that it was an immoral and short-sighted policy. In April 1953 Dulles, supported by the president, sent Paul Hoffman, head of Ford Foun-

dation, to South Asia to help break the impasse. Hoffman, who had believed that bilateral talks between India and Pakistan were essential to settle the dispute, persuaded Nehru and Mohammad Ali Bogra, Pakistan's new Prime Minister (April 1953–August 1955) to agree to talk. A month later, Dulles visited New Delhi and Karachi. In his talks with Nehru, Dulles proposed agreeing to the partition of the state along the ALC (later Line of Control) with some minor modifications rather than hold a plebiscite. However, during his talks with Bogra and his foreign minister Sir Mohammed Zafrullah Khan, Dulles did not receive a favorable response as they insisted on a plebiscite. In the face of this opposition, Dulles did not press on with his proposal. Meanwhile Nehru's government ousted Sheik Abdullah as the head of the Kashmir government for calling independence for the state of Kashmir for the first time. He was replaced by Bakshi Ghulam Muhammed in August 1953. Although the dismissal of Abdullah triggered unrest in Pakistan, Bogra visited New Delhi for talks. This time, he and Nehru agreed to name a plebiscite administrator by April 1954. However, hopes were dashed when India refused to accept an American as plebiscite administrator, which Pakistan preferred. Also, India was upset when Pakistan's Governor-General Ghulam Muhammed resumed strident attacks on India during the Bogra–Nehru talks in New Delhi. The final blow to talks of peace came when the United States decided to provide arms to Pakistan, which India vehemently opposed.¹⁰

Meanwhile under the leadership of Bakshi Muhammed, the Kashmir Constituent Assembly ratified Kashmir's instrument of accession to India in 1954, thus foreclosing any prospects for a plebiscite in the future. The successor to Bogra, Governor-General/President Iskander Mizra (August 1955–October 1958) denounced both the Kashmir Assembly's ratification of the accession of instrument and its support for India's position. In response, Nehru countered by reviving Dixon's suggestions of a partition on religious lines and a no-war pact between the two countries. Pakistan angrily rejected both of these initiatives and insisted on a plebiscite.¹¹ In 1956 Nehru declared the assembly's action as "irrevocable" and accepted its vote as equivalent to a plebiscite and declared Kashmir as an integral part of India—Pakistan refused to recognize these unilateral measures. So, on January 2, 1957, Feroz Khan Noon, Foreign Minister of Pakistan approached the UNSC informing the council that his country's efforts to resolve the dispute bilaterally had failed and therefore, the council should arrange to hold a plebiscite. In response, on January 23, 1957, the Indian representative, V. K. Krishna Menon, a *bête noire* of the United States, in a long speech to the council, firmly closed any door for multilateral mediation by declaring that Kashmir was an integral part of India.¹² However, the council, supported by Great Britain and the United States, passed a Pakistan-sponsored resolution reaffirming the earlier UN resolution as well as UNCIP resolutions. The Soviet Union promptly vetoed it. President of the council, Gunnar Jarring of Sweden, conducted consultations with India and Pakistan during March–April 1957 and submitted a pessimistic report to the council,

concluding that implementation of international agreements of an ad hoc character had become progressively difficult because of the changed situation. Shortly thereafter, the UNSC sent Graham to the region for the second time in January 1958 to help break the deadlock, but to no avail. He recommended that there be direct negotiations between India and Pakistan under UN auspices on the issues of demilitarization and plebiscite. The plan was accepted by Pakistan but rejected by India.¹³

Graham's failure and India's rearresting of Abdullah on April 30, 1955, for his condemnation of the ratification of the accession by the Kashmir state assembly brought war hysteria against India in Pakistan. Prime Minister Firaz Khan Noon (December 1957–October 1958) however, pledged that he was not going to allow war to happen. In the midst of this tense situation, on October 30, 1958, the army chief, General Muhammad Ayub Khan staged a coup d'état and declared that he would settle the dispute with India amenable and peacefully. Nehru visited Karachi in September 1960 and held long discussions with Ayub Khan but achieved little progress on the dispute.

In December 1959 President Eisenhower visited both India and Pakistan. During his talks with Nehru, Eisenhower told him that India's deployment of troops in Kashmir was wasteful and weakened the subcontinent's defenses. Yet, he did not propose any new initiative to break the stalemate. Neither did he engage Nehru in serious talks over Kashmir despite the fact that Eisenhower was urged to do so by President Ayub Khan on his visit to Pakistan.¹⁴ The issue was left to the Kennedy administration (1961–63) to help resolve it.

The Kennedy administration's role: A support for a settlement through bilateral talks (1961–63)

Nehru visited Washington on November 5–6, 1961. During his discussions with President Kennedy, Nehru reiterated his long-standing willingness to settle the Kashmir dispute on the basis of the acceptance of the cease-fire line as the international boundary between India-controlled Kashmir and Pakistan-controlled Azad Kashmir.¹⁵ He refused to discuss the matter of Kashmir any further. In Ayub Khan's earlier visit to Washington in July 1961, the president told Khan that he would not use economic assistance to India as leverage on Kashmir. In September 1962 when Ayub Khan met Kennedy in Washington for the second time, he complained that India was diverting U.S. economic aid to build its military and adopted a "tougher unyielding attitude toward Pakistan on Kashmir." However, Kennedy once more refused to use economic assistance as leverage to press India to negotiate on Kashmir as he had told Khan during his first visit.¹⁶ Meanwhile on October 20, 1962, China launched a surprise massive attack against India in Ladakh (Kashmir) and the North-East Frontier Agency (NEFA) region, and in a matter of days it inflicted a staggering defeat

on the Indian military. In the face of this devastating assault, Nehru reversed his long-held nonalignment policy and sought U.S. military assistance including a dozen squadrons of all-weather fighters and two squadrons of B-47 bombers. Kennedy not only provided significant portions of what Nehru had asked for, but also gave diplomatic and moral support to India despite Pakistan's angry reaction against this alliance. As China declared a cease-fire effective on November 22, the war ended. As a result, any urgent need for more U.S. weapons aid had ended.¹⁷

Having had India's gratitude during the Sino-Indian crisis, the Kennedy administration seized the opportunity to use its influence to help resolve the Kashmir dispute so that Pakistan could presumably join India in containing communist China. The U.S. delegation, led by roving Ambassador Averell Harriman, and the British delegation, led by Duncan Sundays, visited India and Pakistan in December 1962 and persuaded Nehru and Ayub Khan to agree to reopen negotiations on the dispute with no conditions attached. They even convinced Ayub Khan to accept that plebiscite was not the best way to settle the dispute. Their efforts led to six rounds of bilateral talks between India and Pakistan led by India's External Affairs Minister Swaran Singh and Pakistan's Foreign Minister Zulfikar Ali Bhutto, respectively, held in Rawalpindi, Karachi and New Delhi between December 1962 and May 1963. In the sixth round of talks, India finally refused to budge significantly even on an Anglo-American proposal to divide the Kashmir Valley, which Pakistan this time supported.¹⁸ India's refusal to agree to this proposal was a disappointment to the Kennedy administration. The Johnson administration (1963–69), which succeeded Kennedy's following his assassination on November 22, 1963, nearly withdrew from playing any role in the dispute because of its serious engagement in Vietnam.

The Johnson administration's role: From supporting a UN role to losing interest in the issue (1963–69)

As bilateral talks failed, on February 3, 1964, in a lengthy statement presented to the UNSC, Foreign Minister Bhutto referred to the Hazratbal incident—an incident which triggered riots by Muslims in Kashmir, East Pakistan (Bangladesh) and India following the disappearance of prophet Mohammed's presumed hair from the Hazratbal Mosque—in Kashmir¹⁹ and claimed that people of Kashmir had risen to open rebellion against India, and asked the council to settle the issue on the basis of self-determination. Representing India, Education Minister Mohammed Chagla responded by stating that there was no need to convene the meeting of the council and that Kashmir was an integral part of India. He also stated that India and Pakistan should settle their dispute peacefully without resorting to war. Then the United States, joined by Britain, saw a need for outside help to resolve the conflict, which India refused to accept. The Soviet Union supported

India by declaring the issue had already been settled. However, the council again debated the issue on May 5–18, but achieved little other than allowing Pakistan and India to blame each other for the continuing deadlock of the dispute.²⁰ In February of 1964 speaking at the council, U.S. ambassador to the UN Arthur Goldberg insisted that “free expression of the will of the Kashmir people should be taken into account.”²¹

While the council was debating the issue, the government of Jammu and Kashmir released Sheikh Abdullah on April 8, 1964, giving him full freedom of activity. He went to New Delhi on April 29, and it was announced by Sheikh Abdullah that Nehru and Ayub would meet in New Delhi in June 1964. The meeting never took place, as Nehru passed away on May 27 due to a heart attack—Lal Bahadur Shastri succeeded Nehru as Prime Minister. As Ayub Khan paid moving tribute to the departed leader, Shastri indicated India’s new spirit of moderation toward Kashmir. Consequently, both leaders met briefly at Karachi, Pakistan airport on October 12, 1964, but the meeting did not produce any dramatic announcement other than the expression of mutual good will and a desire to explore talks at the ministerial level. However, India’s subsequent unilateral decisions on Kashmir damaged the new spirit of relationship. On December 4, 1964, India announced the application of articles 356 and 357 of the Indian Constitution to Kashmir under which the state could be brought under presidential rule and the Indian parliamentary legislation. Pakistan interpreted these actions by India as proof of India’s treachery and intransigence. Therefore, on January 3, 1964, having won a reelection, Ayub Khan felt that he had the mandate to confront India head-on over Kashmir.²² The result was the outbreak of a second war.

The second Indo-Pakistan war of September 1965 and the Johnson administration’s role

In August, under a code-name “Operation Gibraltar,” Pakistan sent trained guerrillas into Kashmir with hopes of fomenting an internal revolt in Kashmir against the Indian rule. At the same time tensions increased along the Indo-Pakistani cease-fire line in Kashmir—a short-lived armed clash over disputed territory in the Rann of Kutch in Gujrat State of India occurred shortly after. When India seized the passes to mountain Kashmir, the Pakistani armored units moved into Jammu. In response, India launched a series of attacks across the state of Punjab toward the city of Lahore, and battled the Pakistani army. As the confrontations continued, the UNSC, supported by the United States, Britain, and the USSR, called for an immediate cease-fire, which India and Pakistan subsequently accepted on September 6.²³

As the Johnson administration was bogged down in the Vietnam War, the Soviet Union took the initiative. In January of 1966, at the invitation of Soviet Premier Alexsei Kosygin, both Indian Prime Minister Sastri and Ayub Khan

met in the city of Tashkent (Uzbekistan Republic) and signed an agreement known as the Tashkent Declaration. On January 10 the agreement was formalized and the hostilities ended, followed by the withdrawal of the Indo-Pakistani forces to the prewar cease-fire lines. The declaration obligated both parties under the UN charter “not to have recourse to force and to settle their disputes through peaceful means.”²⁴ Sastri died of a heart attack in Tashkent right after he signed the declaration and Indira Gandhi succeeded him.

The Johnson administration took a neutral position during the war, which pleased neither party in the conflict. When India protested Pakistan’s use of U.S.-supplied arms, the United States cut off its military assistance to both countries. Angered by the decision, Pakistan closed the United States Communications Intelligence Unit in its territory in 1968.

The Nixon administration’s role: Kashmir as a nonissue (1969–74)

During the Nixon administration, India and Pakistan fought another war in 1971 over the issue of Bangladesh’s independence, in which the United States favored Pakistan. This stand badly affected Indo-American relations. However Kashmir was peripheral to the war.²⁵ India helped Bangladesh gain its independence from Pakistan in December 1971.

The issue goes into dormancy (1972–89)

In July 1972, India signed an agreement with President and later Prime Minister Bhutto of Pakistan, known as the Simla Agreement. Under this agreement, both India and Pakistan, among others, similar to the Tashkent Declaration, again committed themselves to “settle their differences through bilateral negotiations or any other mutually agreed means without recourse to force and without outside intervention.”²⁶ This agreement also removed the need for UN mediation. It is believed that both leaders reached an informal agreement at Simla to divide Kashmir along the Line of Control (LOC). However, Pakistani delegates who had attended the summit deny that any agreement of that nature was reached.²⁷ The agreement became the basis for the revival of diplomatic and normal relations between the two countries. Meanwhile Gandhi and Sheik Abdullah had signed the Kashmir Accord in February 1975, under which the latter agreed that Kashmir was an integral part of India.²⁸ He and his son, Farooq, ruled the state from 1975 to 1989. Apparently, India believed that the conflict was settled internally, without any external involvement. This belief was proven to be a myth as the Kashmiri Muslims, supported and funded by Pakistan, launched a secessionist armed struggle beginning in January 1990, against the Indian government.²⁹ This insurgency brought India and Pakistan into heightened tensions and even to the brink of nuclear encounters, thus drawing the United States into playing a role

not only to defuse these tensions, but also to help resolve the Kashmir conflict in the post–Cold War era.

As we have shown in the above discussion, with the exception of the Kennedy administration, the United States attempted to resolve the Kashmir conflict in conjunction with the UN. Let us discuss briefly what the U.S. role has been and is in the post–Cold War era and see if it is different from the one played during the Cold War.

The U.S. Role in the Kashmir Conflict in the Post–Cold War Era (1990–Present)

The first Bush administration: A support for resolution of the conflict under the Simla Accord (1989–93)

A few months after assuming the presidency, the George H. W. Bush administration had to deal with simmering tensions between India and Pakistan as a result of the latter supporting the secessionist insurgency in Kashmir. Seymour Hersh writes that Pakistani generals, headed by Mirza Aslam Beg, were willing to use nuclear weapons to “take out New Delhi.” So, to defuse the crisis, in May 1990 President Bush sent National Security Advisor Robert Gates and Assistant Secretary of State John Kelly to India and Pakistan. They successfully helped to avert a deadly nuclear confrontation between the countries.³⁰ This crisis occurred during the time when V. P. Singh (1989–91), and Benazir Bhutto (1989–90) were the prime ministers of India and Pakistan, respectively. Despite the State Department’s annual reports for 1989–92 describing various human rights abuses committed by the Indian security forces in Kashmir, the Bush administration stressed bilateral talks between India and Pakistan to resolve the conflict. It took the position that Kashmir was disputed territory and that a resolution of the crisis should take into account the needs of all parties—India, Pakistan, Kashmir, and others. When Pakistan sought U.S. support to help implement the 1948–49 UNSC resolutions, the administration became very cool to the idea and stressed that the dispute should be resolved on the basis of the Simla Agreement. The administration also felt that the idea of the plebiscite was outmoded. A congressional report prepared by the Congressional Research Service (CRS) also supported that position.³¹ In October 1990, pursuant to the Pressler Amendment Act (1985), when the administration refused to certify that Pakistan had not developed nuclear weapons, a condition which linked the U.S. aid to Pakistan, India was pleased. The State Department also repeatedly demanded that Pakistan cease aiding the Sikhs in the state of Punjab, as well as the Kashmir militants, and warned that the country might be listed as a sponsor of terrorism.

In June 1991 Senator Claiborne Pell, Chairman of the Senate Foreign Relations Committee, at a hearing on the nomination of Edward Djerejian as Assistant Secretary for South Asian Affairs, threw in a bombshell for India by saying that

“if the Baltic States in the Soviet Union have their independence, so could Kashmir.” Djerejan responded by saying that “we consider Kashmir to be disputed territory and we support the efforts of India and Pakistan to try to resolve the Kashmir problem under the aegis of the Simla Accords of 1972.”³² The administration nonetheless failed to bring the two countries to a negotiating table to resolve the conflict, leaving it to the Clinton administration.

The Clinton administration's role: From questioning the efficacy of the Simla Accord to supporting it

With the appointment of Rabin Raphel as Assistant Secretary of State for South Asian Affairs, in July 1993, the Clinton administration took a significant shift on Kashmir. For example, in July, appearing before the Senate Foreign Relations Committee, Raphel expressed the view that the “whole of Kashmir (Pakistan-occupied Azad Kashmir, too) was a disputed territory and therefore its final status has yet to be resolved.”³³ On October 28, Raphel threw a bombshell by declaring that the United States did not recognize the “instrument of accession” of Kashmir to India and that the whole of Kashmir was a disputed territory. She repeated that the Simla Agreement was ineffectual, warning that the “people of Kashmir have to be consulted if any final settlement” was to be achieved, and that Pakistani complicity in fomenting insurgency in Kashmir with arms was no excuse for human rights abuses being committed by the Indian security forces in the Kashmir Valley. She went on to say that “we have pushed the Indian government very hard to clean up their act in terms of human rights violations,” but to no avail. India considered her comments intemperate, provocative, tendentious, undiplomatic, and even inappropriate, especially at a time when the Indian government was battling to defuse the crisis over the siege of the holiest mosque by the Muslim militants at Hazratbal in Kashmir since October 15.³⁴ Immediately after making her statements, Raphel visited Pakistan, Bangladesh, and Afghanistan. While in Decca, she repeated that Washington had considered Kashmir a disputed area for a long time. On November 7, a United States official reiterated Raphel's position by asserting that the United States had always “viewed the whole of Jammu and Kashmir as disputed territory [and] that no previous event [accession of Kashmir to India] is determinative in establishing the status of Jammu and Kashmir.”³⁵ India's criticism apparently nudged the Clinton administration into supporting the Simla Accord.

The Clinton administration reverts to the Simla Accord as the efficacious mechanism to resolve the conflict (1994–98)

Beginning in March 1994, the Clinton administration began to support the viability of the Simla Accord as a framework for resolution of the Kashmir crisis. This policy shift came back to square one in that it embraced the Bush adminis-

tration's policy. For example, before she left for India in late March 1994, appearing before the House Foreign Affairs Subcommittee on Asian and Pacific affairs, Raphel told the committee that the best way to resolve the dispute was in "the spirit of the 1972 Simla Accords." She acknowledged Pakistan's support for the militants and said that the United States had "put a lot of pressure" on the country to stop the support.³⁶ In late March, Raphel visited India but her reception in New Delhi was cool. Then in early April, Deputy Secretary of State Strobe Talbott, accompanied by Raphel, visited New Delhi. He held talks with Prime Minister Narasimha Rao and handed over to him Clinton's letter of invitation to visit Washington. Commenting on Kashmir, he said that the United States endorsed the desirability of a bilateral dialogue between India and Pakistan under the provisions of the Simla agreement.³⁷

In early November 1995, Raphel arrived in New Delhi. She suggested again that India and Pakistan "should have a political dialogue to resolve the Kashmir issue at the earliest." While in New Delhi, Raphel met with Dr. Farooq Abullah, the leader of the Kashmir National Conference (NC), but not the Separatist leaders of the All Parties Hurriyat Conference (APHC), which was a big disappointment to them. She further disappointed them by her testimony to Congress in early December 1995, when she said that their demand for a plebiscite was not valid, thus coming full circle to Bush's policy.³⁸

In September 1997, President Clinton met separately with Prime Minister Nawaz Sharif of Pakistan and Prime Minister of India, I. K. Gujral at the UN in New York and urged a renewed dialogue between them. Sharif also met with Gujral at the UN and pledged to continue the dialogue on Kashmir. Clinton's talks were followed by series of visits by administration officials to South Asia, including one by Secretary of State Madeline Albright in November 1997 to underscore U.S. engagement in the region. She discussed Kashmir, along with other issues, with leaders both in India and Pakistan. However, the Indo-Pakistani relations turned sour by April 1998 when Gujral was replaced by Atal Bihari Vajpayee, the leader of a thirteen-party coalition led by the Hindu Nationalist Bharatiya Janata Party (BJP) as Prime Minister. Under this government India conducted five nuclear tests on May 11 and 13, 1998. This was followed by Pakistan's testing of its six nuclear bombs. It was these testings that prompted the Clinton administration to bring the Kashmir dispute into focus again by stressing the urgency of its resolution, lest it should plunge both countries into a nuclear face-off.

The Clinton administration's call for a resolution of the dispute in the aftermath of Indo-Pakistani nuclear testing (1998)

Following India's testing, President Clinton reacted angrily and swiftly, and imposed a wide range of sanctions to punish India. He also imposed similar sanctions on Pakistan when it tested its own bombs. Clinton was joined by the other

administration officials and Congressional leaders denouncing India's action and declaring it "dangerous" and an "emerging nuclear threat to the territory of the United States."³⁹

After having put the Kashmir dispute between India and Pakistan on the backburner for decades, the members of the UNSC and its permanent members raised the issue separately in June for the first time since 1965, noting that Kashmir was the "root cause of the tensions between India and Pakistan" and advised that they avoid "threatening military movements, cross-border violations, or other provocative acts."⁴⁰ The UNSC also urged the two countries to "discuss all outstanding problems including Kashmir."⁴¹

On June 12, at a meeting of foreign ministers of the G-8 held in London, the ministers unanimously backed the U.S. tough stance taken against India. Addressing India and Pakistan at a press conference, Albright said that they should deal with the Kashmir issue, as that is the "root cause" of the conflict between the two countries.⁴² Meanwhile, on September 23, 1998, Vajpayee met with Prime Minister Sharif at the UN session and both agreed to revive talks stalled since 1997 to reach a "peaceful settlement of all outstanding issues, including Jammu and Kashmir."⁴³

Albright welcomed Vajpayee's pledge to resume talks with Pakistan on Kashmir and to sign the Comprehensive Test Ban Treaty (CTBT). She further noted, "I consider dealing with the root cause of the problem [Kashmir dispute] between the two countries important."⁴⁴

Meanwhile, in February 1999, at Sharif's invitation, Vajpayee and his entourage traveled by bus (called "bus diplomacy") to Lahore, Pakistan. Although the two leaders did not achieve any dramatic breakthrough on the contentious issue of Kashmir, they nevertheless issued the Lahore Declaration. Among other matters, the leaders pledged that they "shall intensify [their] efforts to resolve all issues, including the issue of Jammu and Kashmir."⁴⁵ On the eve of their meeting, Clinton wrote to both leaders congratulating them on getting together for the summit meeting. He praised them by saying that they demonstrated "courage and leadership by coming together and discussing issues that had long divided their countries." He noted, "South Asia and, indeed, the entire world will benefit if India and Pakistan promptly turn these commitments into concrete progress."⁴⁶

However the euphoria of the Lahore declaration abruptly ended when Pakistan provoked a miniwar, known as the Kargil War, across the LOC into India-held Kashmir in May 1999. It was timely mediation by the Clinton administration that prevented it from escalating into a full-scale war.

The Kargil War and the Clinton administration's role to end it (May–July 1999)

In early May nearly fifteen-hundred Pakistan-backed Muslim militants known as the Islamic Mujahideen (Islamic Freedom Fighters) infiltrated six

miles into the India-held Kargil region of North Kashmir by crossing the LOC. The mostly Afghan militants were joined by the Pakistani regulars as they occupied nearly thirty-five well-fortified positions located at sixteen thousand and eighteen thousand feet above sea level atop the most inhospitable frigid, cold ridges in the Great Himalayan Range.

As the Indian troops steadily recaptured one hill or ridge after another, and Pakistan's isolation in the world community increased—only Saudi Arabia and the United Arab Emirates supported Pakistan—it desperately sought a face-saving formula to extricate itself from its miscalculated adventure. So, on July 3, Sharif requested a meeting with Clinton on an urgent basis and met with him on July 4 in Washington. After a three-hour meeting, both leaders issued a joint statement in which Sharif agreed to withdraw intruders. The statement indicated that the forces that are across the LOC needed to return to the Pakistani side. This was followed by the White House statement which said that the president shared with Sharif the view that the current fighting contains the seeds of wider conflict and that it was vital for the peace of South Asia that the LOC in Kashmir be respected by both parties in accordance with their 1972 Simla Accord, and that bilateral dialogue begun in Lahore in February provides the basis for resolving all issues dividing India and Pakistan, including Kashmir, and that the president would take a personal interest in encouraging an expeditious resumption and intensification of those bilateral efforts once the sanctity of the LOC has been fully restored. Following this agreement, beginning on July 11, the infiltrators began retreating from Kargil, as India set July 16 as a deadline for the total withdrawal. On July 12, in an address to the nation, the beleaguered Sharif defended his July 4 agreement with Clinton as well as his request to the intruders to withdraw from the Indian territory. He also defended his Kargil policy as something designed to draw the attention of the international community to the Kashmir issue.⁴⁷ The war ended any hopes of India continuing the dialogue with Pakistan. And the overthrow of Sharif by General Pervez Musharraf on October 12, 1999, in a bloodless coup, further heightened India's tensions with Pakistan.

The Clinton administration sidelines the Kashmir issue in the aftermath of the Kargil War (1999–2000)

In the aftermath of the Kargil War, the Clinton administration sidelined the Kashmir issue. For example, Secretary of State Albright, who met External Affairs Minister Jaswant Singh in July 1999 at the meeting of the Southeast Asian Nations Regional Forum agreed with the Indian position that the talks could not be resumed in a hurry because of the “breach of trust” that Pakistan had committed.⁴⁸ In the same month, Clinton called Vajpayee and congratulated him for his “restraint shown during the crisis” and hoped that India and Pakistan “get back to a dialogue that will help the two countries find a long-term solution on Kashmir.”⁴⁹

Clinton visits India and Pakistan with perfunctory references to Kashmir (2000)

President Clinton visited New Delhi on March 21–25, 2000. On March 21, joined by their respective aides, Clinton and Vajpayee met for one and one-half hours and discussed, among other issues, the Kashmir crisis and the nuclear issue. Clinton reportedly did not refer to Kashmir as a “disputed territory,” nor did he say that the solution to the crisis would have to involve the “wishes and aspiration of the people of Kashmir.”⁵⁰

On March 25 the president flew from Bombay to Islamabad, Pakistan, on a decoy plane presumably to avert a threat on him by terrorists linked to Osama Bin Laden. In his brief five-hour stopover, he held talks with General Musharraf and told him that he should return Pakistan to democracy and forcefully countered his denials by stating that the United States had irrefutable evidence of his Inter-Services Intelligence agency’s (ISI) involvement in supporting terrorist groups in the cross-border terrorism in Kashmir. Clinton told him that the United States would not intervene in the Kashmir dispute and that Pakistan “must help create conditions that will allow dialogue [with India] to succeed” and that there was no “military solution to Kashmir.”⁵¹ Addressing the people of Pakistan on television and radio, Clinton reiterated by warning “the endless costly campaign in Kashmir only sets Pakistan back on the road of economic development and the American people do not want to see tensions rise and suffering increase.” The Lahore Declaration, he said, is the right road to peace for Pakistan and India for the resolution of the problem in Kashmir.⁵² If General Musharraf had not seized political power, perhaps, the Clinton administration would have succeeded in bringing Vajpayee and Sharif to a negotiating table to focus on Kashmir.

The second Bush administration’s role: Averting the portents of war (2001–present)

Following the 9/11 terrorist attacks on the World Trade Center and the Pentagon, the George W. Bush administration sought General Musharraf’s aid and cooperation to fight Al Qaeda and the Taliban in Afghanistan, which he readily gave in early October, by abruptly abandoning his former allies. Pakistan became again an ally and a front-line state in fighting terrorism. Meanwhile on October 1, 2001, suicide bombers belonging to Pakistan-based Jaishe-e-Mohammad (JEM) blasted their way into the Jammu and Kashmir assembly complex in the capital of Srinagar and killed forty people and injured many more. This action by the terrorists outraged the Vajpayee government. The same day, Vajpayee wrote a letter of “anguish” to President Bush warning Pakistan, “there is a limit to patience to the people of India.” Bush took this warning seriously and called Vajpayee to express his shared sorrow and anger for the attack. The terrorist attack prompted Vajpayee to talk about

striking back at the terrorist training camps in Pakistan-held Azad Kashmir. On October 6, British Prime Minister Tony Blair visited India and genuinely shared India's sentiments and pleaded for India's restraint. He pointed out that the United Kingdom had banned twenty-one terrorist organizations, including the Pakistan-based JEM, Lashkar-e-Toiba (LET), and Harkar-ul-Mujahideen (HUM), which are active in Kashmir.⁵³

On October 16, U.S. Secretary of State Colin Powell visited Pakistan. After four marathon meetings with Musharraf, his cabinet, the ISI Chief, and General Shshanul Haq, in a joint press conference with Musharraf Powell was full of praise for Pakistan when he spoke of the United States' "enduring commitment to a great Muslim nation, and that [it was] the beginning of a strengthened relationship that will grow and thrive." He called Musharraf a "bold and courageous" man with a rider that "Kashmir is a central point between India and Pakistan." However, this renewed U.S.-Pakistan alliance and Powell's statement on Kashmir caused considerable consternation in India. So, to allay India's concerns, Powell, who visited New Delhi on October 17, assured Vajpayee that the "United States and India stand united against terrorism, including terrorism directed against India." He further clarified his statement by saying, "I said 'central' in the sense that it is important and to suggest that it isn't, wouldn't be accurate."⁵⁴ As Blair did, Powell asked India to exercise restraint and resume talks with Pakistan on Kashmir. Within weeks of Powell's visit, Secretary of Defense Donald Rumsfeld traveled to Pakistan and India in an effort to maintain cooperation from both countries. During his visit to New Delhi, Rumsfeld sought to alleviate India's concerns about the renewed U.S.-Pakistan alliance and offered to resume military sales to India.⁵⁵ In November 2001, both Vajpayee and Musharraf attended the UN General Assembly in New York. While there, Musharraf had hour-long discussions with Bush at the Waldorf Astoria in New York City. He also called on the administration to play a mediatory role on the Kashmir dispute, but the request was not honored. Vajpayee also met the president on November 9 in the White House, but Kashmir was not the focus of their discussion—they discussed terrorism and other bilateral issues.⁵⁶ At this time, the state department banned the JEM, the LET, and another forty-four terrorist outfits fighting against India.⁵⁷

In May and June 2002, another war threat erupted between India and Pakistan, which the Bush administration again successfully helped to avert.

The Bush administration's successful role in averting India-Pakistan wars (January and May 2002)

On December 13, 2001, five JEM and LET terrorists armed with grenades in backpacks attacked the Indian parliament while it was in session. Indian commandos reacted quickly and averted the devastation by killing the terrorists in a protracted battle in which six Indians, including a gardener, lost their lives.

Having discovered the Pakistani ISI's links to the terrorists through telephonic intercepts, the Vajpayee government withdrew its ambassador from Islamabad, suspended India's road and air links with Pakistan, and demanded that Pakistan handover twenty wanted terrorists living in Pakistan for acts of terrorism. Its Cabinet Committee on Security (CCS) met on December 15, 2001, and decided to take military action. On January 14, 2002, orders were issued to mobilize and deploy troops along the LOC to launch an attack against the terrorist camps in Pakistan-administered Kashmir. In response, Pakistan mobilized its own forces. The crisis pushed the Bush administration into full-swing diplomatic action again. On December 29, 2001, Bush called General Musharraf and urged him to crack down on the terrorists operating from Pakistan. In a quick follow-up, he called Vajpayee and advised restraint. In the first week of January, Prime Minister Blair again flew to New Delhi to relay that Britain was leaning on Musharraf to end cross-border terrorism. On January 8, 2002, Deputy Prime Minister L. K. Advani flew to Washington to be briefed on the contents of Musharraf's impending landmark speech.⁵⁸ On January 12, in an address to his nation, Musharraf finally pledged that his country would not be used as a base for terrorism of any kind and announced a broad ban on militant groups accused of fomenting violence in India-held Kashmir and elsewhere in India. He said that the Kashmir problem must be solved by peaceful means but warned India that "Kashmir runs in our blood" and restated Pakistan's intention to provide "moral and diplomatic support" to the Kashmiris.⁵⁹ However, he failed to keep his pledge, as cross-border terrorism continued. In 2002, the Pakistani courts released the extremists, including the leaders of the LET and JEM, for want of evidence.⁶⁰ May 14, terrorist groups struck again, storming into the army residential quarters at Kaluchak Cantonment in Jammu killing thirty-four people—mostly women and children. This act prompted the Vajpayee government to lose its patience and it again threatened to strike at the terrorist camps. It took a series of measures to send a message to Musharraf. The Vajpayee government expelled the Pakistan ambassador to India; withdrew its diplomatic personnel from Islamabad, and banned Indian airspace for Pakistani commercial air flights. It moved eight-hundred thousand troops close to the LOC and on May 22, Prime Minister Vajpayee, visiting troops in the front-lines in the District of Kupawara, Kashmir called for a "decisive battle." Musharraf responded by moving a half million of his troops to the borders and on May 27, warned India by saying, "if war is thrust upon us, we will respond with full might, including the use of nuclear weapons." It was these escalating tensions that prompted British Foreign Secretary Jack Straw, U.S. Deputy of Secretary of State Richard Armitage, and Defense Secretary Donald Rumsfeld, once again, to visit both Pakistan and India from May through June 2002. Bush also called both leaders pleading for restraint. He was joined by Blair in making similar pleas along with the Russian president, Vladimir Putin, and Japan-

ese prime minister, Junichero Koizumi. These visits and calls from leaders helped defuse tensions and extracted a pledge once again from Musharraf that he would stop cross-border infiltration into Kashmir.⁶¹ As Musharraf's partial fulfillment of his pledge became clear in terms of a slow-down in border-crossing by militants, India reciprocated with its goodwill gestures. It recalled the naval ships back to their Bombay base and reopened its airspace to Pakistani commercial air travel. In addition, India withdrew most of its troops from the front line. However, on June 23, in an interview with *Newsweek*, Musharraf reneged on his pledge by saying that he did not give the United States any permanent commitment to halt cross-border terrorist infiltration into Kashmir,⁶² which angered Powell⁶³ and extracted a renewed pledge yet again from Musharraf when he met Powell in Islamabad on July 28.

As the tensions defused, the Bush administration took the initiative to rekindle a dialogue between India and Pakistan over Kashmir. In July at a press conference held in New Delhi Powell said, "We look forward to concrete steps by India to foster Kashmiri confidence" in the state as the elections were scheduled. He also noted that Kashmir was on the "international agenda." After meeting with Vajpayee and external affairs minister Yashwant Sinha, Powell called on India to resume dialogue with Pakistan on all issues including Kashmir, but this request drew immediate angry reaction. Vajpayee called it America's intervention in the internal affairs of a sovereign country while the opposition parties condemned it as "imperial America." Some officials said that it was an attempt to placate Musharraf and keep him aboard in the war against terrorism.⁶⁴

However, even in the midst of unending cross-border terrorism and the killings by the militants⁶⁵ and opposition by Pakistan, the Vajpayee government conducted fair and open elections in four phases in September–October 2002 in the state of Kashmir. More than 45 percent of voters defied the threats from militants and voted. The National Conference (NC) of Farooq Abdullah, the Kashmir National Congress, the Bharatiya Janata Party (BJP), and another six separatist groups contested the elections. The people rejected the ruling NC, reducing its strength to twenty-eight out of a total of eighty-seven seats, while voting mostly for the Indian Congress Party and the state's newly founded People's Democratic Party (PDP). These two main parties formed a coalition government, with the PDP's leader Mufti Mohammed Sayeed as chief minister. He adopted a conciliatory policy of releasing all those militants who have been imprisoned to bring them back into the mainstream society as part of his policy of "healing touch."⁶⁶ The Bush administration welcomed the election, but the restoration of democracy in the state did not end terrorism—it continued on. On March 23, 2003, militants killed twenty-four Hindu villagers in Nandimarg, southern Kashmir. Realizing that peace could not be realized in the state without talking to Pakistan and the separatists, and urged by the Bush administration, Vajpayee launched a peace offensive in April 2003.

*Vajpayee government launches a conditional peace offensive
at the Bush administration's urging*

On April 18, 2003, addressing a gathering of twenty-thousand in Srinagar, Kashmir, Vajpayee offered a conditional "hand of friendship" to Pakistan. He told Pakistan, "stop cross-border terrorism, and dismantle terrorist groups (and) will sit down at the negotiation table to sort out all bilateral problems including Kashmir." He also appointed N. N. Vohra, a seasoned bureaucrat, as a federal interlocutor for the Kashmir problem by replacing K. C. Pant, deputy chairman of the Planning Commission who had failed to bring the APHC to a negotiating table. On May 2, Vajpayee told the parliament that his government had decided to appoint a new high commissioner to Islamabad and renew civil aviation links with Pakistan on a reciprocal basis.⁶⁷ In April the administration officials told *India Abroad* that the United States was working on a viable "road map" for peace in the region that would involve convincing India and Pakistan to accept the LOC as an international border, and that it was sending Assistant Secretary for South Asian Affairs Christina Rocca and the Deputy Secretary of State, Richard Armitage, to the region to sell this idea.⁶⁸ In the first week of May 2003, Armitage and Rocca visited Pakistan and reportedly extracted a pledge from Musharraf that he would stop cross-border terrorism. On May 9, they visited New Delhi and on May 10, Armitage met with Vajpayee and briefed him on the talks he had held with Musharraf. Armitage was provided with details of terrorist camps functioning in Pakistan. This time the prime minister softened his demand for a total end to cross-border terrorism as a condition for dialogue by saying, "If credible steps are initiated against terrorism" India would start peace negotiations.⁶⁹ During his visit to Washington on June 10 Deputy Prime Minister L. K. Advani visited Washington. While he was visiting with Rice, President Bush dropped by and interacted with him for thirty minutes. The president expressed his warm feelings for Vajpayee for the peace initiative he had announced in April and reiterated to him what he had conveyed to Vajpayee when he had met him in St. Petersburg, Russia on May 30—that Bush would do some blunt talking with Musharraf when he would meet him on June 24.⁷⁰

June 24, 2003, Musharraf was given the rare honor of meeting President Bush for ninety minutes at Camp David. Musharraf once again pledged that he would end cross-border terrorism. Although he did not get F-16 fighter planes that Pakistan had paid for before 1990, Musharraf gained an aid package of \$3 billion spread across three years. He, however, failed to get Bush to agree to play a mediatory role in the Kashmir dispute.⁷¹

During the September–October 2003 UN General Assembly's fifty-eighth session, Bush once again met with Musharraf on September 24. He asked Musharraf to redouble his efforts to end cross-border terrorism and reiterated U. S. friendship with Pakistan. Bush also met with Vajpayee, and discussed India's

participation in Iraq and a dialogue with Pakistan. According to his external affairs minister, Yashwant Sinha, Vajpayee told the president that India could not start a dialogue with Pakistan unless cross-border terrorism had ended.⁷² However, the Vajpayee government swallowed its own words and launched another peace initiative, this time unconditional, in October 2003, despite the fact that cross-border terrorism continued.

*India launches an unconditional peace initiative in October 2003
to the satisfaction of the Bush administration*

October 22, India offered another set of peace initiatives. Among others, it called for an increased frequency of bus services between the two countries, including a new bus service between Srinagar and Muzaffarabad, the capital of Azad Kashmir; a rail link between Munaba in Rajasathan (India) and Khokropar in Sind Province of Pakistan; a ferry service between Bombay and Karachi; and the renewal of cricket ties. India also offered to talk to the APHC unconditionally. These initiatives were announced amid escalating violence in Kashmir in which several civilians were killed, chief ministers' houses attacked, and several people were taken hostage.⁷³ This time Pakistan responded swiftly and positively. On November 23, Prime Minister Mir Zafarullah Khan Jamali, as part of an EID—a celebration at the end of Ramadan—not only welcomed India's initiatives but also asked for an additional bus link between Lahore and Amritsar (India). In addition, he announced a unilateral cease-fire along the LOC to which India readily agreed on November 24, and asked Pakistan for its extension to include the Siachen glacier, where Indian and Pakistani troops engage in frequent exchange of fire. Pakistan accepted the inclusion. As a result, guns fell silent along the LOC border beginning November 25.⁷⁴ On January 6, 2004, India and Pakistan issued a joint declaration under which they agreed to restart formal peace talks beginning in February. This agreement became possible after Vajpayee had met with Musharraf while attending the summit meeting of the South Asian Association for Regional Cooperation (SAARC) held in Islamabad, January 4–6. While India agreed to discuss Kashmir as part of “composite dialogue,” Pakistan pledged to end cross-border terrorism. As agreed to by India and Pakistan, officials met in Islamabad February 16–18, at foreign-secretary-level talks and agreed on a road map for peace. They also agreed to meet again in May or June to hold talks on Confidence Building Measures (CBM) and Kashmir.⁷⁵ Parallel to these talks, the Vajpayee government launched peace talks with the moderate leaders of the APHC headed by Maulvi Abbas Ansari—they split from the hardliners headed by pro-Pakistan leader Syed Ali Shah Geelani in September 2003. On January 22, the leaders met with L. K. Advani, N. N. Vohra, and Home Secretary N. Gopalaswami in New Delhi and issued a joint statement that the talks were “amicable, free, frank and

fruitable.” The leaders expressed the view that the role of the gun should be replaced by sound politics. Both sides agreed to hold the next round of talks in March. Accordingly, they met again on March 27, and decided to have talks on substantial issues in June after the May parliamentary elections.⁷⁶ The Congress-led coalition government headed by Prime Minister Manmohan Singh, which assumed power in May 2004, pledged to continue with Vajpayee’s policy on Kashmir. Accordingly, on June 27–28, the Indian Foreign Secretary Shashank and his Pakistani counter part Riaz Khokhar met in New Delhi in order to narrow down differences on the issues of CBM Kashmir, peace, and security. Even before these talks were held, Indian External Affairs Natwar Singh had already met his counter-part Khurshid Kasuri informally at a working lunch in the Chinese city of Qingdao on June 21 and in Jakarta, Indonesia at the Association of Southeast Asian Nation’s Regional Forum from July 1–2.⁷⁷ The ministers scheduled to meet in August 2005 in Islamabad.

During the Cold War era, as shown in the above discussion, with the exception of the Kennedy administration the United States played a role in association with the UNSC in resolving the conflict. It supported the holding of a plebiscite in Kashmir so as to enable the Kashmiris the choice to be either with India or Pakistan. However, in the post–Cold War era, the United States considered the plebiscite an outdated option, and insisted on the parties to resolve the conflict bilaterally on the basis of the Simla accord without playing any direct mediatory role. The first Bush administration in 1990, the Clinton administration during the Kargil War of 1999, and the second Bush administration during the January and May 2002 Indo-Pakistani confrontation, helped to end wars as well as defuse tensions between India and Pakistan.

Propitious Times for the U.S. Role as Facilitator: The Explanations

The following prevailing domestic regional and international conditions (U.S. relations with India and Pakistan) are conducive for the United States to play the role of a facilitator.

Favorable conditions in Kashmir

1. Since November 2003 with the assumption of power by Mohammed Sayeed as chief minister, there has been a functioning democracy in the state. As part of his “healing touch” reconciliation policy, he has approached the central government to permit him to release all those Muslim militants who are incarcerated and who have not committed serious crimes, such as murder and suicide bombings. It is likely that the Singh government may permit him to do that, given its desire to reach out to the alienated Kashmiris.

2. Until 1995, the insurgency was mostly an indigenous one, but subsequently at the behest of the Pakistani ISI, it was taken over by foreigners such as Afghans, Arabs, and Pakistani Jihadists (holy warriors), who as members of groups such as the Harkatul-Ansar, JET, and JEM started committing murder and rape of innocent men and women in the name of liberating Kashmir from infidel India. They even made the armed struggle into a money-making enterprise by engaging in narcotics and drug-trafficking, and pillaging the peoples' homes.⁷⁸ Consequently, most of the Kashmiris are tired and disillusioned with this mayhem being perpetrated by both the militants and the Indian security forces, and are desperately seeking peace. No wonder, as indicated already, that even in the midst of threats from the militants, more than 45 percent of citizens defied them and voted in September–October 2003 in the state's assembly elections. Today, they seek peace more than anything.
3. For the first time since 1993, the major APHC splinter faction led by Maulana Mohammed Abbas Ansari held unconditional talks with the former Prime Minister Vajpayee and his deputy Prime Minister L. K. Advani, on January 22 and March 27, 2004, in New Delhi, and declared them to be satisfactory. They are scheduled to hold talks with the home minister Shivraj Patil of Singh government in August 2004. On July 6, Ansari a Shia, the leader of Ittehad-ul-Muslimien, resigned as chairman in favor of Mirwaiz Umer Farooq, the leader of Awami Action Committee, in order to enable Syed Ali Shah Geelani, the leader of Pro-Pakistani group Jama-i-Islami, to rejoin the APHC so that they could talk to the Indian government as a unified group, although Geelani does not favor that.⁷⁹ Unlike in the past, the APHC has defied opposition from the Pakistani government and decided to engage in talks with India.
4. Although the Kashmiris have suffered immensely—forty-thousand deaths since 1990—under the repressive actions of the Indian security forces sent there to end the uprising, and to the pleasure of India and dismay of Pakistan, the people still prefer India to Pakistan. In an opinion poll conducted by the independent United Kingdom-based Market and Opinion Research International in June 2002, 61 percent of Kashmiris said they are better off as part of India, as opposed to 6 percent who cited Pakistan.⁸⁰
5. Given the fact that the Kashmiris have to choose either India or Pakistan—and with no option of independence under UNSC resolutions—they are likely to be more than satisfied if India restores autonomy under the July 1952 Delhi agreement that Nehru and Sheik Abdullah had signed. Under this agreement, India will have domain on national security, communications, and foreign policy while Kashmiris will have autonomy in their domestic affairs and have their own flag, under article 370 of the Indian constitution.⁸¹ This is the demand that the former Chief Minister Abdul Farooq, and other moderate leaders, have made.

Changing the perspectives of India and Pakistan on Kashmir

1. Although rhetorically India claims that Pakistan-controlled Kashmir should also be part of India under the instrument of accession, it is realistic enough to accept the current LOC as international border, with some minor border adjustments leaving the other part, Azad Kashmir, to Pakistan—provided Pakistan agreed to this deal. This is what India has been echoing, however quietly. Even Pakistan favors it. In 1997, a report prepared by the Kashmir Study Group Team indicated that with the exception of the extreme right, most of the establishment elites in both India and Pakistan have endorsed the Line of Control to be the permanent international border.⁸²
2. The fact that it has been bogged down in the state fighting the militancy since 1990, paying a heavy price in men and material—it spends nearly \$1 billion a year—India would like to withdraw its security forces. Due to reports of egregious human rights abuses being committed by its security forces, as reported by Amnesty International and the State Department, India's image as a democracy has been tarnished. Even some call it an illiberal democracy. This is why it urgently seeks a way out of this quagmire, and is likely to restore the 1952 Delhi agreement if that restores peace in Kashmir and the state remains an integral part of India—a predominantly Muslim (60 percent) state that stands out as a symbol of India's commitment to secularism.
3. The military in Pakistan is the key player of security and foreign policies, especially with regard to Kashmir, even when the country has been under a civilian rule. Historically, it is the military that has been obsessed with Kashmir. As Robert Wirsing writes, other than in the city of Lahore—the epicenter of the military—there is little interest among the people in the provinces of Sindh, Baluchistan and the Northwest Frontier Province (NWFP),⁸³ and in an interview with Aziz Haniffa, Stephen Cohen, a South Asian expert, stated the same thing.⁸⁴ By fostering cross-border terrorism in Kashmir, although the military has bled for India, due to the fact that it has failed to force it out from the state and convince the UNSC into reviving the call for holding a plebiscite, it has become a failed policy. It has become almost a “failed state” because it fostered a Jehadi culture, especially among the Madrasas (Islamic Sailors), and spends nearly 35 percent of its budget for the military on social and economic development. These days, one does not read much about Kashmir in Pakistan. This is an indication that the military is seeking an alternative to terrorism in resolving the conflict.

A growing rapprochement between India and Pakistan

General Musharraf, as the chief of army and as president after he seized power in a bloodless coup on October 12, 1997, had dismissed the Simla accord and the

Lahore Declaration that prime ministers Vajpayee and Sharif signed in February 1999. He engineered the Kargil War. He declared that Islam does not respect international borders. He agreed to the November 2003 cease-fire; he has reduced the cross-border terrorism; and has signed the January 2004 Joint Declaration with Prime Minister Vajpayee to discuss Kashmir as part of a composite dialogue, instead of treating it as an exclusive core issue. Diplomatic relations have been restored between India and Pakistan, and steady visits between the diplomats, journalists, and scholars are taking place. Indian and Pakistani teams are playing cricket games for the first time since 1990. All these changes reflect a radical shift in Musharraf's policy. This is a positive sign to show that India and Pakistan have a desire to resolve the Kashmir issue peacefully.

India and Pakistan emerge as allies of the United States in the aftermath of the terrorist attack

1. Immediately following the terrorist attack on September 11, 2001, India offered its military bases for the Bush administration's planned attack of Afghanistan, although it instead chose Pakistan as a frontline state after Musharraf had abandoned his former allies Al Qaeda and the Taliban. Nonetheless, India has been cooperating with the U.S. administration in sharing intelligence information on Al Qaeda and the Taliban. India came out strongly in support of the war in Afghanistan. This growing cooperation subsequently resulted in the signing of a strategic partnership agreement on January 20, 2004. This was called the Glide Path agreement, which envisaged the transfer of sensitive American dual technology that can be used by India in civilian, nuclear, space, missile, and high-tech programs. The Next Steps in Strategic Partnership (NSSP) is yet to be implemented, as the administration has not obtained an iron-clad assurance from India.⁸⁵ There is an indication that this relationship will become a reality in the near future.
2. In appreciation of Musharraf's cooperation in fighting terrorism, the administration has not only given millions of dollars of aid, but has also declared Pakistan as a non-NATO ally in March 2004. This rare status that allows Pakistan to purchase military offensive systems from the United States has displeased India, underscored by the fact that Secretary of State Powell did not divulge this decision to Indian officials when he visited New Delhi on March 15–17, 2004.⁸⁶
3. The alliance with India and Pakistan has won the trust of both India and Pakistan. No wonder that unlike in the past, in July 2002 in an interview with Lally Weymouth of *Newsweek* magazine, Vajpayee welcomed the "role of a facilitator" for the United States.⁸⁷ Former Indian ambassador to the United States, K. Shankar Bajpai, echoes the same view when he writes, "United States

involvement in the conflict has been an indisputable fact, indeed, lately a useful one.”⁸⁸ For Pakistan, which had sought a mediatory role for the United States, Vajpayee’s invitation to the United States to play the role of a facilitator was welcome news at last.

The explanations discussed above show that the times are propitious for the United States to play a proactive role of a facilitator to help resolve this age-old conflict. This role is to help the peace process to continue uninterrupted and to pledge security and assistance, if necessary, especially to weaker parties such as Pakistan and Kashmir so that peace becomes a reality. If the parties are not helped to resolve the conflict soon, the fact that India and Pakistan possess nuclear weapons and the fact that Pakistan has threatened to use them in previous confrontations with India, presents a threat of the Pakistani military using them against India if it loses in a conventional war. There is little wonder that, in 1998, President Clinton called South Asia “the most dangerous region” of the world.

Conclusion

First, I discussed the origins of the Kashmir conflict and the role that the United States played under various administrations during the Cold War. Second, I looked at Indo-Pakistani tensions regarding Kashmir and the role the United States has played, from one of supporting a plebiscite during the Cold War era to one of supporting its resolution bilaterally under the Simla agreement in the post-Cold War era. Finally, I presented explanations as to why, today, it is propitious for the United States to play the role of a facilitator in resolving this festering, fifty-year-old conflict.

NOTES

1. For text of the instrument of accession, see *Times of India*, October 30, 1993, 11.
2. For more discussion of the first Kashmir War, see Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions Since 1947* (Washington, DC: Woodrow Wilson Center Press, 2001), 15–30.
3. For texts of the UN Security Council Resolutions, see Joseph Korb, *Danger in Kashmir* (Princeton, NJ: Princeton University Press, 1953), 312–19.
4. Dennis Kux, *India and the United States: Estranged Democracies, 1941–1991* (Honolulu: University Press of the Pacific, 2002), 61.
5. *Ibid.*, 62.
6. *Ibid.*, 63.
7. *Ibid.*
8. Rajesh Kadian, *The Kashmir Tangle* (Boulder, CO: Westview Press, 1993), 104–5.
9. Norman Palmer, *The United States and India* (New York: Praeger Publishers, 1984), 121–22.
10. For a more detailed discussion of the Eisenhower administration’s role, see Kux, *India and the United States*, 116–17.
11. Sir Gupta, *Kashmir* (New York: Asia Publishing House, 1966), 302–7.
12. *Ibid.*, 313–15.
13. *Ibid.*, 324–35.
14. Kux, *The United States and Pakistan, 1947–2000* (Washington, DC: Woodrow Wilson Center Press, 2001), 109.

15. Kux, *India and the United States*, 193.
16. Kux, *The United States and Pakistan*, 127.
17. Kux, *India and the United States*, 201–8.
18. For more discussion as to why the talks failed, see Ganguly, *Conflict Unending*, 31–35.
19. On December 29, 1963, a sacred relic presumed to be a hair of the prophet Mohammed was stolen from the Hazratbal Shrine near Srinagar. The disappearance ignited an outbreak of disturbances not only in the state of Kashmir but also in India and East Pakistan. On January 3, 1964, as the relic was mysteriously returned to the shrine, the disturbances came to a halt.
20. Gupta, *Kashmir*, 355–61.
21. Palmer, *The United States and India*, 121.
22. Alstair Lamb, *Kashmir* (Heritingfordbury: Hertfordshire, 1991), 250–55.
23. For more discussion of the war, see Ganguly, *Conflict Unending*, 31–50.
24. For text of the declaration, see Ganguly, *Conflict Unending*, 162–63.
25. For more discussion of the Indo-Pakistani war over Bangladesh and the Nixon administration's role in the conflict, see Ganguly, *Conflict Unending*, 51–78.
26. For text of the agreement, see Ganguly, *Conflict Unending*, 168–69.
27. *Ibid.*, 71.
28. Under this accord, Abdullah accepted Kashmir as an integral part of India while the state enjoyed a special status under article 370. This accord enabled him to become the chief minister of the state in 1975.
29. For discussion of the Muslim uprising and Pakistan's role in the conflict, see Summit Ganguly, "Avoiding War in Kashmir," *Foreign Affairs* 69, no. 5 (Winter 1990–1991): 57–73; Edward Desmond, "Himalayan Ulster," *New York Review of Books* (March 4, 1991): 24–27; Anthony Spaeth, "No Peace in the Valley," *Harper's Magazine*, April 1993, 81–87; and *India Abroad*, March 12, 1993.
30. Seymour Hersh, "On the Nuclear Edge," *New Yorker*, March 29, 1993, 56–73.
31. *India Abroad*, June 14, 1991; and August 9, 1991.
32. *India Abroad*, September 20, 1991.
33. *India Abroad*, July 23, 1993.
34. For Ms. Raphael's remarks and India's reactions, see *India Abroad*, November 5, 1993; and November 12, 1993; *Times of India*, October 30, 1993; October 31, 1993.
35. *Times of India*, November 3, 1993; November 9, 1993.
36. *India Abroad*, March 18, 1994.
37. *India News*, April 15, 1994.
38. *India Today*, December 31, 1995.
39. *Congressional Quarterly*, (May 16, 1998): 1317.
40. *India Abroad*, June 19, 1998.
41. *India Abroad*, June 12, 1998.
42. *Ibid.*
43. *India Abroad*, October 2, 1998.
44. *Ibid.*
45. For text of the declaration, see Ganguly, *Conflict Unending*, 170–71.
46. *India Abroad*, March 1999.
47. For more discussion of the Kargil War and the administration's role in ending it, see Ganguly, *Conflict Unending*, 14–33.
48. *India Abroad*, July 30, 1999.
49. *Ibid.*
50. *India Today International*, April 1, 2000.
51. *India Abroad*, March 31, 2000.
52. *Ibid.*
53. For more details on Vajpayee's letter to President Bush, and the reaction from him and Blair, see *India Today International*, October 29, 2001.
54. *Ibid.*, 20–22.
55. Ganguly, *Conflict Unending*, 141.
56. *India Abroad*, November 9, 2001; and November 23, 2001.
57. *India Abroad*, November 23, 2001.

58. For a detailed discussion about the terrorist attack, India's moves to respond militarily, and the Bush administration's role in defusing the crisis, see *India Today International*, December 24, 2001; December 31, 2001; and December 23, 2002.

59. *New York Times*, January 13, 2002.

60. *India Today International*, April 1, 2002; and *Christian Science Monitor*, December 16, 2002.

61. For more discussion about the Indo-Pakistan crisis and the Bush administration's successful mediatory role, see *India Today International*, May 27, 2002; June 1, 2002; June 10, 2002; June 17, 2002; June 24, 2002.

62. *Newsweek*, July 1, 2002, 31.

63. *India Abroad*, July 19, 2002.

64. *India Abroad*, August 9, 2002; and *India Today International*, August 12, 2002.

65. For example, on July 13, militants killed twenty-eight slum dwellers, including six women, while they were watching a cricket match on a community TV at Jammu's Qasimnagar; on July 22, two militants killed eighteen military commanders at Tanda camp, Jammu; on September 25, two militants attacked a Hindu temple in Gujrat state and killed thirty-two worshipers, and since August, they have killed one hundred pro-Indian political workers who were preparing for the elections. *India Today International*, July 29, 2002; August 4, 2002; *Christian Science Monitor*, September 24, 2002; and September 26, 2002.

66. For more discussion about the elections and the policy of Sayeed, see *Christian Science Monitor*, October 16, 2002; *India Today International*, October 21, 2002; and November 18, 2002.

67. *India Today International*, May 12, 2003.

68. *India Abroad*, April 25, 2003.

69. *India Abroad*, May 9, 2003; and May 23, 2003.

70. *India Abroad*, June 26, 2002.

71. *India Abroad*, July 4, 2003.

72. *India Abroad*, October 3, 2003.

73. *India Abroad*, October 31, 2003.

74. *India Abroad* December 5, 2003.

75. For more about the joint statement and the talks on a road map toward peace, see *India Abroad*, January 16, 2004; *New York Times*, January 7, 2004; January 8, 2004; and *Houston Chronicle*, February 19, 2004.

76. *India Abroad*, January 30, 2004; and April 9, 2004.

77. *India Abroad*, July 9, 2004.

78. For more discussion about the militants, see Wajahat Habibullah, *The Political Economy of the Kashmir Conflict* (Washington, DC: United States Institute of Peace, 2004), 6–8; and *Christian Science Monitor*, October 30, 2003.

79. *India Abroad*, (July 16, 2004): A12.

80. Quoted in *India Abroad*, (June 14, 2002): 6.

81. Victoria Schofield, *Kashmir in Conflict* (New York: I. B. Tauris, 2003), 80.

82. Kashmir Study Group, 1947–1997: *The Kashmir Dispute at Fifty*, 1997.

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86. *India Abroad*, March 26, 2004.

87. *Newsweek*, July 2002, 30.

88. K. Shankar Bajpai, "Untangling India and Pakistan," *Foreign Affairs* 82, no. 3 (May/June 2003): 123.

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